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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/594,356

08/04/2008

Alfred Kутtenberger

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09/22/2009

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EXAMINER

ILAN, RUTH

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

09/22/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/594,356	Applicant(s) KUTTENBERGER ET AL.	
	Examiner Ruth Ilan	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/12/2009 and 9/26/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

The preliminary amendment of 9/26/2006 is acknowledged.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foo et al. (US 6,095,554) in view of Davis et al. (US 5,882,034.) Foo et al teaches a device for triggering a personal protection device in a vehicle including an inertial sensor system (50, 52, 22 or 34) situated in a first location in a vehicle. With respect to claim 9, the first location is either the B pillar, col. 3, line 50 or can be the tunnel, col. 5, line 40.) A processor (13) is situated in a second location and the airbag to be controlled (airbag module 18, see col. 8, line 50) which is triggered as a function of a second signal (92) is situated in a third location. The processor is a central computer (see col. 3, line 40.) The inertial sensor system has a sensor signal pre-evaluation (see col. 4, lines 12-14 and col. 5, lines 8-10.) The difference between Foo et al. and the claimed invention is that Foo et al. does not specify that the firing circuit control is located with the airbag in the third location. It is well known in the vehicle airbag art to include local firing circuit control with the individual igniters located with the airbag. Davis et al. teaches one such arrangement, And includes the benefits of reducing costs, and increasing performance and control (see col. 1, lines 35-38.) Additionally, the use of the firing circuit control

Art Unit: 3616

located remotely with the airbag decreases the risk of electromagnetic pickup on the wiring causing inadvertent deployment (see col. 2, lines 39-46.) Based on the teaching of Davis et al., it would have been obvious to one having ordinary skill in the art at the time of the invention to include firing circuit control remotely (i.e. at the third location) in order to reduce costs, and decrease the risk of inadvertent deployment. Regarding claims 13 and 14, the Examiner takes Official Notice that the use of a BUS system and plug-in components are well known electrical expedients in the automobile art. It would have been obvious to one having ordinary skill in the art at the time of the invention to use these types of connections, as a person with ordinary skill has good reason to pursue the known options within his or her technical grasp.

.Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references listed on the attached 892 teach airbag control arrangements of interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth Ilan whose telephone number is 571-272-6673.

The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-7742. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ruth Ilan
Primary Examiner
Art Unit 3616

/Ruth Ilan/
Primary Examiner, Art Unit 3616